



File No.: A33577 072396.0217

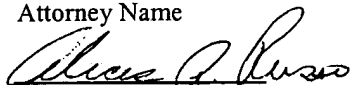
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Montelaro et al.  
Serial No. : 09/785,059  
Filed : February 16, 2001  
For : VIRUS DERIVED ANTIMICROBIAL PEPTIDES

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION UNDER 37 C.F.R. 1.53(b)

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on July 30, 2001.

Alicia A. Russo  
Attorney Name

  
Signature

46,192  
Registration No.

July 30, 2001  
Date of Signature

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, DC 20231

Sir:

Responsive to the Notice to File Missing Parts of Application Under 37 C.F.R. 1.53(b), enclosed herewith is a Declaration referring to the above-identified application by one or more of the following in compliance with 37 C.F.R. 1.63:

- ☒ [X] Name of inventor and application serial number;
- ☒ [X] Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
- ☒ [X] Name of inventor, title of invention and filing date;

- ☐ Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- ☐ Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

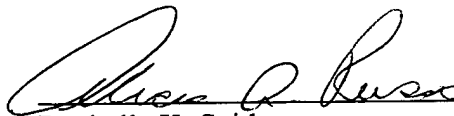
Also enclosed are:

1. ☒ A check in the amount of \$ 65.00  
☐ \$130 - Other than Small Entity  
☒ \$ 65 - Small Entity  
representing payment of the surcharge  
due for late filing of the Declaration  
pursuant to 37 C.F.R. 1.16(e);
2. ☐ An extension of time to file the Response  
to Missing Parts is respectfully requested.  
The required fee, calculated pursuant to  
1.136(a), is enclosed in the amount of \$ \_
3. ☐ Other \_ \$ \_

TOTAL FEE \$ 65.00

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication to Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

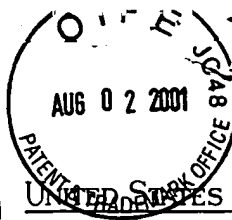
Respectfully submitted,



Rochelle K. Seide  
Patent Office Reg. No. 32,300

Alicia A. Russo  
Patent Office Reg. No. 46,192

Attorneys for Applicant  
(212) 408-2627



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/785,059	02/16/2001	Ronald C. Montelaro	A33577

CONFIRMATION NO. 4780

## FORMALITIES LETTER



\*OC00000006242207\*

BAKER BOTTS, L.L.P.  
30 ROCKEFELLER PLAZA, 44TH FLOOR  
NEW YORK, NY 10112-4498

Date Mailed: 06/29/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/06/2001 NYUSUF1 00000050 09785059

01 FC:205

65.00 OP



File No.: A33577 072396.0217

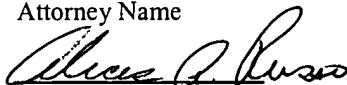
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Montelaro et al.  
Serial No. : 09/785,059  
Filed : February 16, 2001  
For : VIRUS DERIVED ANTIMICROBIAL PEPTIDES

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION UNDER 37 C.F.R. 1.53(b)

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on July 30, 2001.

Alicia A. Russo  
Attorney Name

  
Signature

46,192  
Registration No.

July 30, 2001  
Date of Signature

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, DC 20231

Sir:

Responsive to the Notice to File Missing Parts of Application Under 37 C.F.R. 1.53(b), enclosed herewith is a Declaration referring to the above-identified application by one or more of the following in compliance with 37 C.F.R. 1.63:

- ☒ [X] Name of inventor and application serial number;
- ☒ [X] Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
- ☒ [X] Name of inventor, title of invention and filing date;

- ☐ Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- ☐ Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

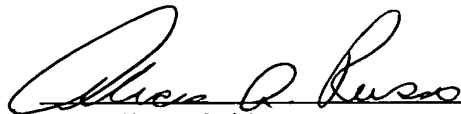
Also enclosed are:

1. ☒ A check in the amount of \$ 65.00  
☐ \$130 - Other than Small Entity  
☒ \$ 65 - Small Entity  
representing payment of the surcharge  
due for late filing of the Declaration  
pursuant to 37 C.F.R. 1.16(e);
2. ☐ An extension of time to file the Response  
to Missing Parts is respectfully requested.  
The required fee, calculated pursuant to  
1.136(a), is enclosed in the amount of \$ \_
3. ☐ Other \_ \$ \_

TOTAL FEE \$ 65.00

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication to Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Rochelle K. Seide  
Patent Office Reg. No. 32,300

Alicia A. Russo  
Patent Office Reg. No. 46,192

Attorneys for Applicant  
(212) 408-2627